

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02709-TNM

KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY et al v. CENTRAL INTELLIGENCE AGENCY et al
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 11/20/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**KNIGHT FIRST AMENDMENT
INSTITUTE AT COLUMBIA
UNIVERSITY**

represented by **Adi Kamdar**
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Plaintiff

represented by

**COMMITTEE TO PROTECT
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V.

Defendant

**CENTRAL INTELLIGENCE
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Defendant

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Defendant

NATIONAL SECURITY AGENCY

represented by **Antonia Marie Konkoly**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE**represented by **Antonia Marie Konkoly**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****DEPARTMENT OF STATE**
TERMINATED: 07/30/2019represented by **Antonia Marie Konkoly**
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Date Filed	#	Docket Text
11/20/2018	<u>1</u>	COMPLAINT <i>Knight First Amendment Institute at Columbia University</i> against All Defendants <i>Central Intelligence Agency et al</i> (Filing fee \$ 400 receipt number 0090-5802792) filed by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet, # <u>3</u> Supplement Corporate Disclosure Form, # <u>4</u> Summons CIA, # <u>5</u> Summons DOJ, # <u>6</u> Summons NSA, # <u>7</u> Summons ODNI, # <u>8</u> Summons DOS)(Jaffer, Jameel) (Entered: 11/20/2018)
11/20/2018		Case Assigned to Judge Trevor N. McFadden. (zmd) (Entered: 11/21/2018)
11/21/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (zmd) (Entered: 11/21/2018)
11/26/2018	<u>3</u>	SUMMONS (5) Issued Electronically as to CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 11/26/2018)
11/26/2018	<u>4</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 11/26/2018. (lctnm2) (Entered: 11/26/2018)
12/10/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/10/2018. (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)
12/10/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CENTRAL INTELLIGENCE AGENCY served on 12/10/2018 (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)
12/10/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 12/10/2018 (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)
12/10/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF STATE served on 12/10/2018 (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)
12/10/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL SECURITY AGENCY served on 12/10/2018 (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)

12/10/2018	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE served on 12/10/2018 (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)
12/10/2018	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/10/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/9/2019. (Attachments: # <u>1</u> Tracking numbers, # <u>2</u> Delivery confirmation)(Jaffer, Jameel) (Entered: 12/10/2018)
12/14/2018	<u>12</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Alex Abdo, :Firm- Knight First Amendment Institute at Columbia University, :Address- 475 Riverside Drive, Suite 302, New York, NY 10115. Phone No. - 6467458500. Filing fee \$ 100, receipt number 0090-5839963. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Jaffer, Jameel) (Entered: 12/14/2018)
12/14/2018	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Ramya Krishnan, :Firm- Knight First Amendment Institute at Columbia University, :Address- 475 Riverside Drive, Suite 302, New York, NY 10115. Phone No. - 6467458500. Filing fee \$ 100, receipt number 0090-5840037. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Jaffer, Jameel) (Entered: 12/14/2018)
12/17/2018		MINUTE ORDER granting the <u>12</u> and <u>13</u> Motions for Leave to Appear Pro Hac Vice. Attorneys Alex Abdo and Ramya Krishnan shall promptly register for this Court's CM/ECF system. Signed by Judge Trevor N. McFadden on 12/17/2018. (lctnm3) (Entered: 12/17/2018)
01/02/2019	<u>14</u>	NOTICE of Appearance by Antonia Marie Konkoly on behalf of CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Konkoly, Antonia) (Entered: 01/02/2019)
01/02/2019	<u>15</u>	MOTION to Stay <i>All Proceedings</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Attachments: # <u>1</u> Text of Proposed Order)(Konkoly, Antonia) (Entered: 01/02/2019)
01/02/2019		MINUTE ORDER granting <u>15</u> Motion to Stay. Upon considering the Defendants' 40 Motion to Stay, it is hereby ordered that this matter shall be stayed until Congress has restored appropriations to the Department of Justice. It is further ordered that Defendants will notify the Court immediately upon resumption of appropriations. Signed by Judge Trevor N. McFadden on 1/2/2019. (lctnm1) (Entered: 01/02/2019)
01/17/2019	<u>16</u>	Unopposed MOTION to Lift Stay <i>Temporarily</i> by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Exhibit A – Amended Complaint, # <u>2</u> Exhibit B – Corporate Disclosure Form for Committee to Protect Journalists, # <u>3</u> Exhibit C – Pro hac vice motion for Adi Kamdar, # <u>4</u> Exhibit D – Pro hac vice motion for Jeremy Feigelson, # <u>5</u> Exhibit E – Pro hac vice motion for Alexandra P. Swain, # <u>6</u> Text of Proposed Order for Motion to Temporarily Lift Stay)(Abdo, Alexander) (Entered: 01/17/2019)
01/17/2019		MINUTE ORDER: Upon consideration of the Plaintiff's <u>16</u> Unopposed Motion, it is hereby ORDERED that (1) the proposed Amended Complaint attached to the <u>16</u> Motion is deemed filed as of January 17, 2019; (2) the Disclosure Statement attached to the <u>16</u> Motion is deemed filed as of January 17, 2019; and (3) the motions to appear pro hac vice of Adi Kamdar, Jeremy Feigelson, and Alexandra P. Swain are granted. The attorneys shall promptly register with this Court's CM/ECF system. Signed by Judge Trevor N. McFadden on 1/17/2019. (lctnm3) (Entered: 01/17/2019)
01/17/2019	<u>17</u>	AMENDED COMPLAINT against CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE filed by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY, COMMITTEE TO PROJECT JOURNALISTS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (tth); Modified text on 1/22/2019 (tth).

		(Entered: 01/18/2019)
01/17/2019	<u>18</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by COMMITTEE TO PROJECT JOURNALIST. (tth) (Entered: 01/18/2019)
01/17/2019	<u>19</u>	MOTION for Leave to Appear Pro Hac Vice : Attorney Name – Adi Kamdar, :Firm– Knight First Amendment Institute at Columbia University: Address – 475 Riverside Drive, Suite 302, New York, NY 10115. Phone No. – (646) 745–8500. Fee Status: No Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (tth) (Entered: 01/18/2019)
01/17/2019	<u>20</u>	MOTION for Leave to Appear Pro Hac Vice: Attorney Name – Jeremy Feigelson, :Firm – Debevoise & Plimpton LLP : Address – 919 Third Avenue, New York, NY 10022. Phone No. – (212) 909–6000. Fee Status: No Fee Paid. by COMMITTEE TO PROJECT JOURNALISTS (tth); Modified text on 1/22/2019 (tth). (Entered: 01/18/2019)
01/17/2019	<u>21</u>	MOTION for Leave to Appear Pro Hac Vice: Attorney Name – Alexandra P. Swain : Firm – Debevoise & Plimpton LLP: Address – 919 Third Avenue, New York, NY 10022. Phone No. – (212) 909–6000. Fee Status: No Fee Paid. by COMMITTEE TO PROJECT JOURNALISTS. (tth); Modified text on 1/22/2019 (tth). (Entered: 01/18/2019)
01/23/2019		Filing fee received: \$ 100.00, receipt number: 4616096407; pro hoc vice fee for Alexandra Swain. (tth) (Entered: 01/24/2019)
01/23/2019		Filing fee received: \$ 100.00, receipt number: 4616096406, pro hoc vice fee for Jeremy Feigelson. (tth) (Entered: 01/24/2019)
01/28/2019	<u>22</u>	<i>NOTICE to the Court of Restoration of Appropriations</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Konkoly, Antonia) (Entered: 01/28/2019)
01/29/2019		MINUTE ORDER: Upon consideration of the Defendants' <u>22</u> Notice, the Court hereby lifts the stay in this case. The parties are ORDERED to file a status report on or before February 1, 2019. This Report shall propose a schedule for the filing of Defendants' Answer. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/29/19. (lctnm3) (Entered: 01/29/2019)
01/29/2019		Set/Reset Deadlines: Joint Status Report due by 2/1/2019. (hmc) (Entered: 01/29/2019)
01/31/2019		Filing fee received: \$ 100.00, receipt number: 4616096517; pro hoc vice fee for Aditya Kamdar. (tth) (Entered: 01/31/2019)
02/01/2019	<u>23</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Konkoly, Antonia) (Entered: 02/01/2019)
02/01/2019		MINUTE ORDER: Upon consideration of the parties' <u>23</u> Joint Status Report, it is hereby ORDERED that the Defendants' shall submit an Answer or response to the Amended Complaint on or before February 11, 2019. Signed by Judge Trevor N. McFadden on 2/1/2019. (lctnm3) (Entered: 02/01/2019)
02/01/2019		Set/Reset Deadlines: Defendants' answer or response to the Amended Complaint due by 2/11/2019. (hmc) (Entered: 02/01/2019)
02/11/2019	<u>24</u>	ANSWER to <u>17</u> Amended Complaint, by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.(Konkoly, Antonia) (Entered: 02/11/2019)
02/11/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of the Plaintiffs' FOIA request, the anticipated number of documents responsive to the request, the anticipated date(s) for release of the documents requested by the Plaintiffs, whether a motion for an Open America stay

		is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the Report on or before March 8, 2019. Signed by Judge Trevor N. McFadden on 2/11/2019. (lctnm3) (Entered: 02/11/2019)
02/12/2019		Set/Reset Deadlines: Joint Status Report due by 3/8/2019. (hmc) (Entered: 02/12/2019)
03/01/2019	<u>25</u>	Joint STATUS REPORT and <i>Proposed Order</i> by COMMITTEE TO PROTECT JOURNALISTS, KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (Attachments: # <u>1</u> Text of Proposed Order)(Krishnan, Ramya) (Entered: 03/01/2019)
03/04/2019		MINUTE ORDER. Upon consideration of the parties' <u>25</u> Joint Status Report, it is hereby ORDERED that: (1) the Central Intelligence Agency and the National Security Agency shall provide a final response to the Plaintiffs' FOIA requests on or before March 15, 2019; (2) the Federal Bureau of Investigation and the Department of State shall provide a final response to the Plaintiffs' FOIA requests on or before March 29, 2019; and (3) the parties shall file a Joint Status Report on or before April 12, 2019. This Report shall propose a schedule for dispositive motions if necessary. Signed by Judge Trevor N. McFadden on 3/4/2019. (lctnm3) (Entered: 03/04/2019)
03/05/2019		Set/Reset Deadlines: Central Intelligence Agency and National Security Agency responses due by 3/15/2019. Federal Bureau of Investigation and Department of State responses due by 3/29/2019. Joint Status Report due by 4/12/2019. (hmc) Modified on 3/5/2019 (hmc). (Entered: 03/05/2019)
04/12/2019	<u>26</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Attachments: # <u>1</u> Text of Proposed Order)(Konkoly, Antonia) (Entered: 04/12/2019)
04/13/2019		MINUTE ORDER: Upon consideration of the parties' <u>26</u> Joint Status Report, the following schedule is hereby ordered: (1) the Plaintiffs shall identify all issues and withholdings they plan to challenge to the Defendants on or before May 17, 2019; (2) the Defendants shall file any motion for summary judgment on or before June 21, 2019; (3) the Plaintiffs shall file any cross-motion for summary judgment and their opposition to the Defendants' motion on or before July 19, 2019; (4) the Defendants shall file their reply in support of their own motion and their opposition to the Plaintiffs' motion on or before August 16, 2019; and (5) the Plaintiffs shall file a reply in support of their motion on or before September 6, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/13/2019. (lctnm3) (Entered: 04/13/2019)
04/15/2019		Set/Reset Deadlines: Plaintiffs' identification of issues and withholdings due by 5/17/2019. Defendants' motion for summary judgment due by 6/21/2019. Plaintiffs' cross-motion and opposition to Defendants' motion due by 7/19/2019. Defendants' reply in support of their own motion and opposition to Plaintiffs' cross-motion due by 8/16/2019. Plaintiffs' reply in support of their motion due by 9/6/2019. (hmc) (Entered: 04/15/2019)
05/31/2019	<u>27</u>	Joint STATUS REPORT by COMMITTEE TO PROTECT JOURNALISTS. (Attachments: # <u>1</u> Text of Proposed Order re Briefing Schedule)(Beeken, Timothy) (Entered: 05/31/2019)
06/03/2019		MINUTE ORDER: Upon consideration of the parties' <u>27</u> Joint Status Report, the April 13, 2019 Summary Judgment briefing deadlines are hereby STAYED. It is further ORDERED that (1) the Department of State shall complete the additional searches described in the parties' <u>27</u> Joint Status Report by June 14, 2019; (2) the Department of State shall produce any responsive, non-exempt records to the Plaintiffs upon the completion of this search; and (3) the parties shall file a joint status report on or before June 28, 2019. This Report shall propose a schedule for further proceedings as necessary. Signed by Judge Trevor N. McFadden on 6/3/2019. (lctnm3) (Entered: 06/03/2019)
06/04/2019		Set/Reset Deadlines: Department of State's additional searches due by 6/14/2019. Joint Status Report due by 6/28/2019. (hmc) (Entered: 06/04/2019)

06/28/2019	<u>28</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, DEPARTMENT OF STATE, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Attachments: # <u>1</u> Text of Proposed Order)(Konkoly, Antonia) (Entered: 06/28/2019)
07/01/2019		MINUTE ORDER: Upon consideration of the parties' <u>28</u> Joint Status Report, the following briefing schedule is hereby ORDERED: (1) the Plaintiffs shall identify all issues and withholdings they plan to challenge, if any, to the Defendants on or before July 12, 2019; (2) the Defendants shall file a motion for summary judgment on or before August 28, 2019; (3) the Plaintiffs shall file any cross-motion for summary judgment and opposition to the Defendants' Motion on or before September 26, 2019; (4) the Defendants shall file any reply and opposition to the Plaintiffs' cross-motion on or before October 17, 2019; and (5) the Plaintiffs shall file any reply on or before November 7, 2019. Signed by Judge Trevor N. McFadden on 7/1/2019. (lctnm3) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines: Plaintiffs' challenges due by 7/12/2019. Defendants' Motion for Summary Judgment due by 8/28/2019. Plaintiffs' Cross-Motion and Opposition to the Defendants' Motion for Summary Judgment due by 9/26/2019. Defendants' Reply and Opposition to Plaintiff's Cross-Motion due by 10/17/2019. Plaintiffs' Reply due by 11/7/2019. (hmc) (Entered: 07/01/2019)
07/18/2019	<u>29</u>	STIPULATION of Dismissal <i>WITHOUT PREJUDICE AS TO KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY ONLY</i> by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (Jaffer, Jameel) (Entered: 07/18/2019)
07/19/2019		MINUTE ORDER: Upon consideration of the parties' <u>29</u> Stipulation of Dismissal, Plaintiff Knight Institute's claims are hereby DISMISSED without prejudice per the terms of the stipulation. This order shall have no effect on the claims of the remaining Plaintiff. This stipulation shall have no effect on Knight Institute's ability to seek an award of attorneys' fees and other litigation costs. Signed by Judge Trevor N. McFadden on July 19, 2019. (lctnm3) (Entered: 07/19/2019)
07/25/2019	<u>30</u>	Consent MOTION to Dismiss <i>Defendant U.S. Department of State</i> by COMMITTEE TO PROTECT JOURNALISTS (Attachments: # <u>1</u> Text of Proposed Order)(Beeken, Timothy) (Entered: 07/25/2019)
07/30/2019	<u>31</u>	MOTION for Extension of Time to <i>Deadline for Requesting Attorneys' Fees</i> by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Jaffer, Jameel) (Entered: 07/30/2019)
07/30/2019		MINUTE ORDER: Upon consideration of the Plaintiff's <u>30</u> unopposed Motion to Dismiss, the Plaintiff's claims against the United States Department of State are hereby DISMISSED. This order shall have no effect on the remaining claims. This order shall have no effect on the Plaintiff's ability to seek an award of attorneys' fees and other litigation costs from the United States Department of State or any of the remaining Defendants. Signed by Judge Trevor N. McFadden on 7/30/2019. (lctnm3) (Entered: 07/30/2019)
07/31/2019		MINUTE ORDER granting Plaintiff Knight Institute's <u>31</u> Motion for Extension. Plaintiff Knight Institute shall file any motion for attorney's fees and costs by September 10, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/31/2019. (lctnm3) (Entered: 07/31/2019)
08/01/2019		Set/Reset Deadlines: Plaintiff's motion for attorney's fees and costs due by 9/10/2019. (hmc) (Entered: 08/01/2019)
08/06/2019	<u>32</u>	Joint MOTION to Stay <i>Deadline for Requesting Attorneys' Fees</i> by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Jaffer, Jameel) (Entered: 08/06/2019)
08/06/2019		MINUTE ORDER granting Plaintiff Knight Institute's <u>32</u> Motion to Stay. Plaintiff Knight Institute shall file any motion for attorneys' fees within 14 days of final judgment in this case. SO ORDERED. Signed by Judge Trevor N. McFadden on 8/6/2019. (lctnm3) (Entered: 08/06/2019)